

Campaign Finance Complaint Process

ONLY complaints pertaining to **acts on or after July 1, 2017** will be considered.

To file a campaign finance complaint you (the affiant) must submit a signed and sworn affidavit to our office. The affidavit must include:

- The subject the complaint is against must be identified
- The violation of the campaign finance requirement
- Any misconduct, breach of statutory duty or malfeasance
- Any facts on which the affiant relied upon
- Any printed source of factual information

SDCL 12-27-47 : Affidavit alleging violation of campaign finance requirements--Contested case--Referral for investigation. Any person may file with the secretary of state a sworn affidavit alleging a violation of the campaign finance requirements under this chapter. A sworn affidavit alleging any misconduct, breach of statutory duty, or malfeasance shall be signed and sworn to by the affiant, fully state any fact on which the affiant relied and identify any source of factual information. If the sworn affidavit has sufficiently substantiated facts that lead the secretary of state to believe there is probable cause that a requirement under this chapter has been violated, the secretary of state may commence the contested case procedure pursuant to chapter 1-26 to remedy the violation or impose a civil penalty. The secretary of state may refer the complaint to the Division of Criminal Investigation for an investigation pursuant to chapter 23-3 and shall notify the subject of the affidavit of the referral by certified mail.

SDCL 12-27-48 : Any person who makes a false allegation pursuant to SDCL Sections 12-27-47, 23-3-72, or 23-3-73 is guilty of a Class 2 misdemeanor.

Mail the signed and sworn affidavit to the Secretary of State's office at:
Secretary of State
Attn: Campaign Finance Complaint
500 E. Capitol Ave., Suite 204
Pierre, SD 57501